

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

JOSEPH P. SCHMITT, PRO SE,
PLAINTIFF,

2006 APR 12 P 3:07

v.

CIVIL ACTION NO. 04-10451-DWZ
CIVIL ACTION NO. 04-1001STRNZT OF MASS

JEFFREY SMITH, et al.,
AND
PATRICK MULVEY, et al.,
DEFENDANTS.

PLAINTIFF'S NOTICE OF APPEAL

Now comes the pro se plaintiff, Joseph P. Schmitt, in the above captioned actions and gives formal notice of his intent to appeal.

Plaintiff hereby gives notice that he is appealing this Honorable Courts JURY INSTRUCTIONS, specifically regarding the Courts instructions as to the amount the jury may award Plaintiff.

Plaintiff respectfully moves that this Honorable Court instruct its Clerk of Court to assemble all necessary records and transcripts to prosecute an meaningful appeal in an expeditious fashion.

Dated: April 10, 2006

Respectfully Filed,

Joseph P. Schmitt, pro se
30 Administration Road
Bridgewater, Massachusetts
02324-3230

CERTIFICATE OF SERVICE

I, Joseph P. Schmitt, pro se Plaintiff in the above captioned actions, hereby certify that a true copy of the above document was served upon C. Raye Poole, counsel for the defendants, via first class US Mail on or about April 11, 2006

Joseph P. Schmitt, pro se